



*South Carolina*  
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May 11, 2021

**VIA ELECTRONIC FILING**

The Honorable Jocelyn Boyd  
 Chief Clerk/Executive Director  
 The Public Service Commission of South Carolina  
 101 Executive Center Drive  
 Columbia, South Carolina 29210

RE: Docket 2020-247-A  
 Workshops Regarding the Public Service Commission's Formal Review of Its  
 Regulations Pursuant to S.C. Code Ann. Section 1-23-120(J)  
**Department of Consumer Affairs Comments on S.C. Code Ann. Regs. 103-600 et seq.**

Dear Ms. Boyd:

The Department of Consumer Affairs (the "Department") submits this letter in response to the Commission's request for comments on S.C. Code Ann. Regs. 103-600 *et seq.* The Department submits these comments, not as a representative of the consumer interests in utility rate matters, but rather under its broader authority as the state consumer protection agency. In addition, we plan to participate in the May 21, 2021 workshop.

The Department questions whether certain aspects of S.C. Code Ann. Reg. § 103-623 (Adjustment of Bills) could be amended to provide more clarity and consumer protections without imposing an undue or unreasonable burden on the telephone utility. Section 103.623.1 (Customer Willfully Overcharged) states that:

If the telephone utility has willfully overcharged any customer, the telephone utility shall refund the difference, *plus interest, as prescribed by the commission*, for the period of time that can be determined that the customer was overcharged.

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(*emphasis* added). A search of the Commission's website and DMS does not produce any order or other writing which prescribes the rate of interest payable for an overcharge. Absent such order or writing, it is unclear what interest rate is to be imposed for a willful overcharge or if this is decided on a case by case basis. The Commission could clarify what interest rate applies to a willful overcharge for telephone utility services. The applicable interest rate should operate as an adequate deterrent from such behavior.

Furthermore, § 103-623.2 permits a telephone utility to refund an "inadvertent" overcharge without interest or penalty. In the Department's role as a mediator of consumer complaints, we receive complaints related to the time it takes for consumers to receive refunds. The Commission could provide reasonable consumer protections by requiring telephone utilities to refund overcharges within a specified timeframe, and require interest be paid if the overcharge is not refunded within the specified timeframe.

The Department appreciates the opportunity to provide comments on these regulations. and looks forward to continuing to address these important matters.

Regards,

A handwritten signature in blue ink, appearing to read "Connor Parker".

Connor J. Parker, Esq.  
*Assistant Consumer Advocate*